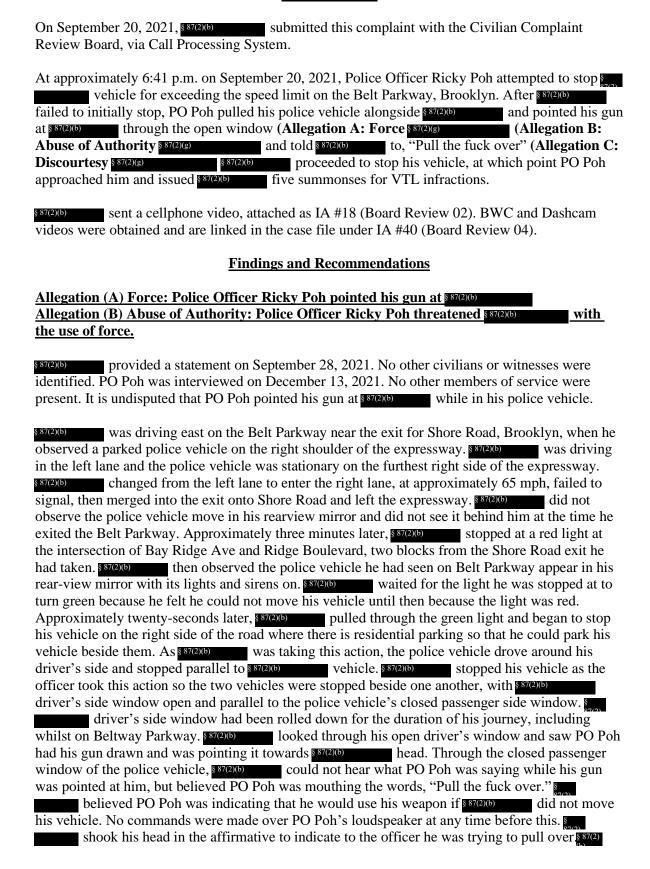
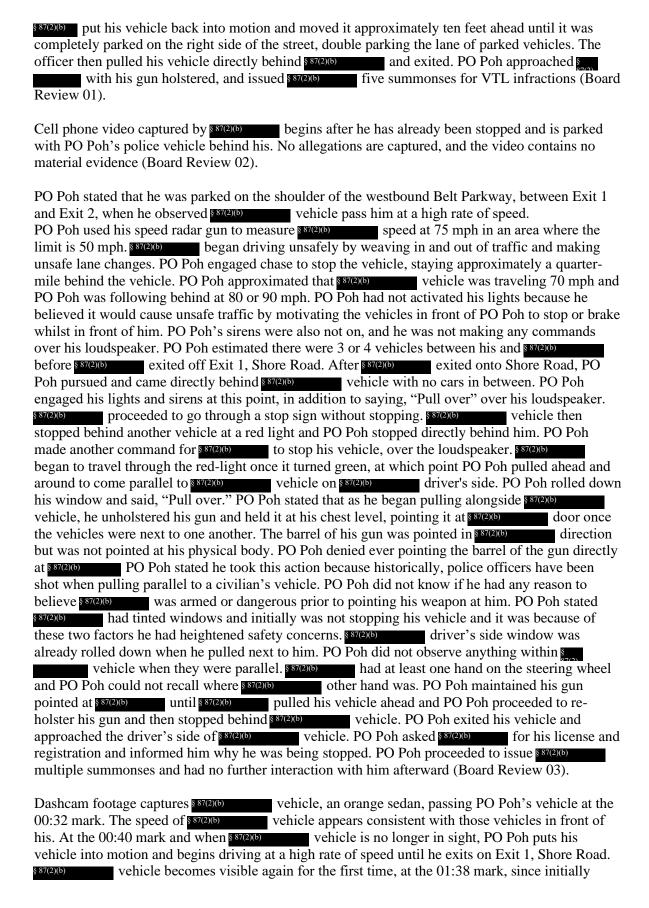
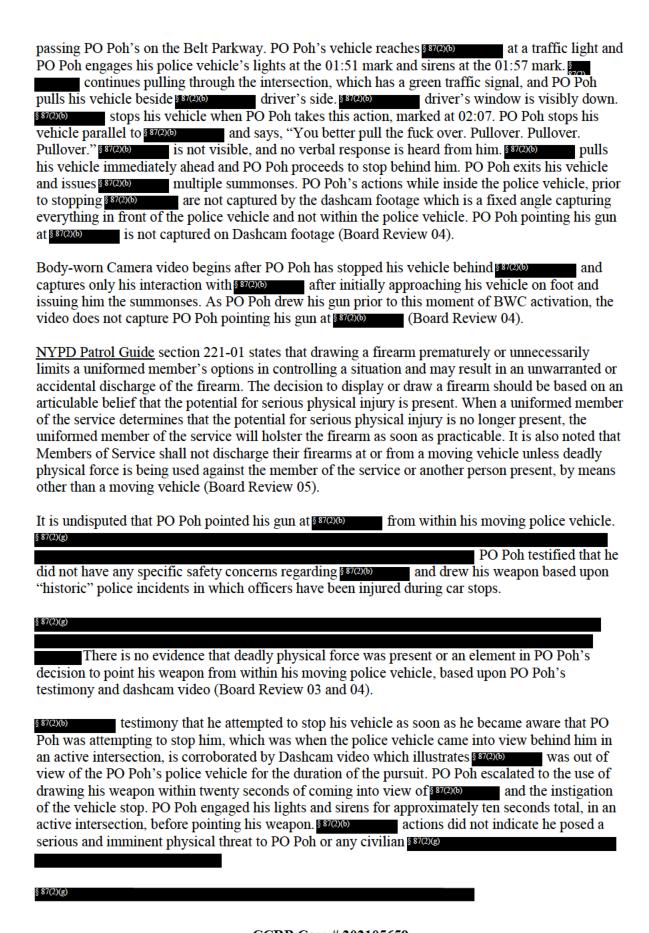
# CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☑	Force	V	Discourt.	U.S.
Cloey Romans		Squad #15	202105659	☑	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:			18 Mo. SOL		Precinct:	
Monday, 09/20/2021 6:41 PM		Belt Parkway and 79th Street			3/20/2023 63			
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Tim	ne Reco	eived at CC	RB
Tue, 09/21/2021 12:10 PM		CCRB	Call Processing System		Tue, 09/2	21/202	1 12:10 PM	[
Complainant/Victim	Type	Home Address						
Subject Officer(s)	Shield	TaxID	Command					
1. POM Ricky Poh	08595	961110	HWY 02					
Officer(s)	Allegation	on			Inv	estiga	ntor Recon	nmendation
A . POM Ricky Poh	Force: Police Officer Ricky Poh pointed his/her gun at \$85(2)(b)							
B . POM Ricky Poh	Abuse: Police Officer Ricky Poh threatened §87(2)(6) with the use of force.							
C . POM Ricky Poh	Discourtesy: Police Officer Ricky Poh spoke discourteously to \$87(2)(b)							

### **Case Summary**







# Allegation (C) Discourtesy: Police Officer Ricky Poh spoke discourteously to \$87(2)(6)

It is irrefutable based upon Dashcam footage that PO Poh told to "Pull the fuck over," time-stamped at the 01:56 mark (Board Review 04).

PO Poh denied ever using any discourtesies. PO Poh denied ever saying "fuck." PO Poh did not recall ever saying, "You better pull the fuck over" (Board Review 03).

According to NYPD Patrol Guide Procedure 200-02 the mission of the New York City Police Department, members of service are instructed to treat citizens with courtesy and professionalism. This procedure also states that one of the primary values of the NYPD is to respect the dignity of individuals and provide police services with civility and courtesy. Furthermore, according to Patrol Guide Procedure 203-10, members of service are explicitly prohibited from using discourteous language or remarks to address members of the public (Board Review 06 and 07).

<u>PD v. Pichardo</u> establishes that officers may use profanity while interacting with civilians when done in the context of a dynamic situation in which they are attempting to gain control. Officers may not use discourteous language if it serves no legitimate law enforcement purpose (Board Review 11).

The first command PO Poh ever made to \$37(2)(0) was one in which he used profanity. No commands were made over the loudspeaker directing \$37(2)(0) to pull over prior and PO Poh had only engaged his lights and sirens ten seconds prior to using this discourtesy. According to his testimony and corroborated by Dashcam footage, \$37(2)(0) attempted to stop his vehicle at the first opportunity, which was after passing through the active intersection. There is no evidence that PO Poh did not have control of the situation, \$37(2)(0)

## Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which \$87(2)(6) has been a party (Board Review 08).
- PO Ricky Poh has been a member of service for 6 years and has been the subject of three CCRB complaints and five allegations, none of which were substantiated.

#### Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of March 18, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this incident (Board Review 09).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad:15			
Investigator:	Cloey Romans Signature	Inv. Cloey Romans Print Title & Name	4/07/2022 Date
Squad Leader:	Owen Godshall Signature	SI Owen Godshall Print Title & Name	4/082/2022 Date
Reviewer:	Signature	Print Title & Name	Date